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19 FEDERAL DEPOSIT INSURANCE
20 CORPORATION as Receiver for
21 SONOMA VALLEY BANK

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

18 FEDERAL DEPOSIT INSURANCE
19 CORPORATION as Receiver for
20 SONOMA VALLEY BANK,

21 Plaintiff,

22 v.

23 MELVIN J. SWITZER, SEAN C.
24 CUTTING, and BRIAN MELLAND,

25 Defendants.

Case No. 3:13-cv-03834-RS

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**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

29 Plaintiff Federal Deposit Insurance Corporation as Receiver for Sonoma Valley Bank
30 (“FDIC-R”) and defendants Melvin J. Switzer, Sean C. Cutting and Brian Melland
31 (“Defendants”), by and through their counsel, hereby stipulate and agree as follows:

1 WHEREAS, the Court has set a Case Management Conference for August 27, 2015 at
2 10:00 a.m. in Courtroom 3, 17th Floor, San Francisco;

3 WHEREAS, the parties and insurers for the defendants have now reached a tentative
4 settlement agreement which is being drafted at this time, and anticipate agreeing to a dismissal of
5 this lawsuit in its entirety;

6 WHEREAS, the Court has previously continued the Case Management Conference three
7 times to accommodate the parties' settlement discussions, having vacated dates of June 25, 2015,
8 July 9, 2015 and July 23, 2015;

9 WHEREAS, the interests of the Court and the parties will be served by a further
10 continuance of the Case Management Conference by at least 30 days;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that the Case
12 Management Conference set for August 27, 2015 shall be continued for at least 30 days, to be
13 rescheduled at the convenience of the Court.

14 Dated: August 20, 2015

SCHIFF HARDIN LLP

16 By: /s/ Robert B. Mullen

17 Robert B. Mullen
18 Attorneys for Plaintiff
19 FEDERAL DEPOSIT INSURANCE
20 CORPORATION as Receiver for
21 SONOMA VALLEY BANK

20 Dated: August 20, 2015

DUANE MORRIS LLP

22 By: /s/ Stephen H. Sutro

23 Stephen H. Sutro
24 Attorneys for Defendant
25 Melvin J. Switzer, Jr.

1 Dated: August 20, 2015

JONES DAY

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Dated: August 20, 2015

By: /s/ Neal J. Stephens

Neal J. Stephens
Attorneys for Defendant
Sean C. Cutting

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Certification of Compliance with N.D. Cal. L.R. 5.1(i)(3)

16 I hereby certify that pursuant to N.D. Cal. L.R. 5.1(i)(3), I have obtained the authorization
17 from the above signatories to file the above-referenced document, and that the above signatories
18 concur in the filing's content.

19

I certify under penalty of perjury under the laws of the United States of America that the

20 foregoing is true and correct. Executed on August 20, 2015.

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SCHIFF HARDIN LLP

By: /s/ Robert B. Mullen

Robert B. Mullen
Attorneys for Plaintiff
FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for
SONOMA VALLEY BANK

[PROPOSED] ORDER

IT IS SO ORDERED. The Case Management Conference previously set for August 27, 2015 is continued to _____ . The Case Management Statement is due by _____ .

Dated: _____

Honorable Richard Seeborg
U.S. District Judge

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